



DECISION MEMO
2021 Upper Little Deschutes Roadside Hazardous Fuels Reduction Project
USDA Forest Service
Crescent Ranger District, Deschutes National Forest
Klamath County, Oregon

The Crescent Ranger District is proposing hazardous fuels reduction work along several Forest Service roads within the District (approximately 383 acres). It would be 100-foot buffer (50 feet either side of road). This will reduce hazardous fuels loads, provide safe ingress and egress for the public, and create defensible space that could be used as firebreaks in case of a wildfire.

These roads include Forest Service (FS) road 5825 from Highway 58 to the junction with FS 5830 road. The 5830 road from the 5830/5825 junction to the 5830300 junction and the FS 5830300 road to its terminus (see Figure 1).

There is a need to maintain the open condition and minimize fuel loading by a combination of mowing, masticating, and/or underburning to create defensible space along strategic roadsides in the District.

Proposed Action

I am approving the following actions to meet this purpose and need. Treating 50 feet either side of the road with a combination of fuels reduction techniques such as (but not limited to) including thinning, mowing/mastication, prune, handpile, grapple pile, and pile burn.

- Thinning would occur in conifers seven inches DBH and under.
 - No trees greater than seven inches will be cut unless the tree is deemed a hazard to safe operations.
 - Tree species are predominantly lodgepole pine, but may also include ponderosa pine, white fir, and Douglas-fir.
- Thinning will occur by hand or with mechanized equipment such as mowers, masticators, or feller bunchers.
- Brush within the project area may be cut or masticated to further promote fuels reductions.
- Only hand equipment chainsaws, axes, pulaskis, etc. may be used for felling in identified riparian areas.
- Remaining stump heights will be cut as low to the ground as possible.
- The cutting and piling of down and dead material may take place to reduce existing fuel loading.
- Down and dead material over 12 inches DBH will be left to promote wildlife habitat.
- Piling of cut materials will occur by hand or with mechanized equipment.
 - No gray wood would be included in piles if larger than nine inches DBH on the small end.
- Pile burning will occur in the Fall, Winter, or Early Spring under elevated moisture conditions (October – April).

Location:

The project is located in the southwest portion of the district west of Hwy 97, southwest of Hwy 58. The units are located in Klamath County, Oregon, with a legal description of:

T25S, R6E, S25

T25S, R7E, S2, 10, 11, 16, 17, 18, 19, 28, 29, 30, 32, 33, 34, 35

T26S, R7E, S4, 9, 10, 11, 14, 15, 21, 22, 28, 29, 30, Willamette Meridian (Figure 1).

Reasons for Categorically Excluding the Decision

Decisions may be categorically excluded from documentation in an environmental impact statement or environmental assessment when they are within one of the categories listed in 36 CFR 220.6(e), and there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative effect on the quality of the human environment.

Category of Exclusion

The appropriate category of exclusion is found in the Forest Service National Environmental Policy Act (NEPA) regulations at 36 CFR 220.6(e)(6). This category is appropriate because the project involves *"Thinning or brush control to improve growth or to reduce fire hazard including the opening of an existing road...."*

Relationship to Extraordinary Circumstances

In determining the appropriateness of using the categorical exclusion, a determination of the potential impact to the resource conditions identified in FSH 1909.15 Section 30.3(2) must be made. The following is the list of the potential effects to the resource conditions from the project activities.

1. Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species.

- **Wildlife:** This project would have **"No Effect"** to the northern spotted owl and designated critical habitat and would not contribute to a negative trend in viability on the Deschutes National Forest. This project would have **"No Effect"** to the Oregon spotted frog or its Critical Habitat.
 - This project would have **"No Impact"** to the northern bald eagle. Implementation of ULD Roadside Hazardous Fuels project **"May impact individuals or habitat, but will not likely contribute to a trend toward federal listing or loss of viability to the population or species"** for the western bumble bee, Morrisoni bumble bee and Suckley cuckoo bumble bee.
- **Plants:** This project would have **"No Effect"** to any threatened, endangered, and **"No Impact"** to R6 Sensitive plant species.
- **Fisheries:** This project would have **"No Effect"** to any threatened, endangered and **"No Impact"** to R6 Sensitive fish species or habitat.

2. Flood plains, wetlands, or municipal watersheds

Executive Order 11988 provides direction to avoid adverse impacts associated with the occupancy and modification of floodplains. Executive Order 11990 provides direction to avoid adverse impacts associated with destruction or modification of wetlands. The project is consistent with both executive orders.

- This project would have no effect to either floodplains or wetlands.
- There would be no adverse effects to a municipal watershed because the project is not located within or adjacent to a municipal watershed.

3. Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas

The proposed project has units (53 acres) through the Little Deschutes Wild and Scenic River corridor along the Forest Service 5830000 and 5830300 roads. There is fuels reduction work proposed for 50 feet either side of centerline to help provide a fire /fuel break to protect the river environment (MA-17-5; LRMP at 4-157). In addition, this project would be consistent with the Little Deschutes River Wild and Scenic Management Plan where *'fuel loadings should be reduced wherever possible to*

reduce imminent susceptibility to catastrophic wildfire and 'Vegetation management activities will aim to maintain the naturalness of the area...and reduce the risk of fire....'¹

The project area is not located within any Wilderness, Wilderness Study Areas, or National Recreation Areas. The closest Wilderness Area is the Mt. Thielsen Wilderness which is approximately 3/10 mile to the south. There is no activity in the wilderness.

The proposed project has units (46 acres) in the Cascades National Recreation Area (OCRA). It is consistent with MA14-21 '*Prescribed fire is preferred method...may be treated by other methods if necessary to meet project objectives.*' (LRMP 4-147 and Little Deschutes-Big Marsh Zone-Zone 4, Appendix 4-43). The objectives are to create a strategic fuel break along a portion of the 5825000 and the 5830300 roads that overlap the OCRA. All pile burning operations will follow the state of Oregon Smoke Management Program requirements.

4. Inventoried Roadless Areas (IRA) or Potential Wilderness Areas

The project is not located within any Inventoried Roadless Areas (IRA) or potential wilderness areas. The nearest Inventoried Roadless Area is the Mt Thielsen IRA, approximately five miles to the southwest of the closest unit. The only potential effect could be from smoke and prescribed fire managers would use smoke management forecasts and adhere to the State of Oregon Smoke Management Plan in order to minimize smoke from fuels reduction activities. The project is not within a potential wilderness area, nor will it affect any of the criteria for inventorying potential wilderness (ie. – no roads will be built and no timber will be cut).

5. Research Natural Areas

There are no existing or proposed Research Natural Areas (RNA) in or adjacent to the project. The nearest Research Natural Area is the Cannon Wells RNA on the Fremont-Winema National Forests, which is approximately twenty-one miles to the northeast.

6. 7. American Indian and Alaska Native religious or Cultural Sites, Archaeological Sites, or Historic Properties of Areas

This project meets the criteria under the 2004 Programmatic Agreement among the USFS Region 6, the Advisory Council on Historic Preservation, and the Oregon State Historic Preservation Officer for a determination of "**No Adverse Effect.**" This project has been determined to be compliant with Section 106 of the National Historic Preservation Act.

Based on the conclusions regarding the effects to the resources and conditions listed above, I have determined the project will have no extraordinary circumstances that may result in a significant direct, indirect, or cumulative effect on the quality of the human environment.

Public Involvement

Public scoping and Tribal consultation were conducted in conjunction with the release of the Preliminary Decision Memo. This project was also listed in the Deschutes National Forest Schedule of Proposed Actions and on the Forest Service website. Comments were accepted from January 21, 2021 through February 22, 2021. The Klamath Tribes responded with interest in the project.

Consistency with Deschutes Land and Resource Management Plan

I have reviewed the *Deschutes National Forest Land and Resource Management Plan and Record of Decision 1990* (Forest Plan), as amended by the *Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl*

¹ Big Marsh Creek and The Little Deschutes River Wild and Scenic Rivers Management Plan, January 2001 (at 12).



(Northwest Forest Plan, 1994), and have determined that the project is consistent with the amended Forest Plan goals, objectives, and standards and guidelines. Biological Evaluations were prepared for Sensitive, Threatened, and Endangered animal, plant and aquatic species and are located in the project file at the Crescent Ranger District. Also, the project meets all of the applicable Project Design Criteria from the 2014 Programmatic Biological Assessment for central Oregon.

Scenic Views

There is a small (1.3 acres) treatment area along the FS 5825000 as it turns south off of Highway 58 that are Scenic Views "Partial Retention- Foreground - where management activities are evident, however, they must remain visually subordinate to the natural landscape" (LRMP 4-122). This project activity is consistent with maintaining the naturalness of the area, provide scenic diversity, maintain the health of the vegetation, and reduce risk of fire. Specifically, this project would be consistent with Management Area M9-55 "*Trees maybe removed from lodgepole pine foregrounds where necessary to: provide for safety along travel routes and in recreation use areas.*" In addition, M9-58 applies where "*slash from a thinning or tree removal activity, or other visible results of management activities (except prescribed fire) will not be obvious to the casual forest visitor within three years after work has been completed.*" (LRMP 4-128 as amended by Scenic Views FPA July 2019).

Consistency with Northwest Forest Plan

This project is consistent with the January 2001 *Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines* as altered by the 2011 Consent Decree and the May 13, 2014 Letter of Direction.

Wildlife- This project applies the Survey and Manage species list in the 2001 ROD.

- Great gray owl, (*Strix nebulosa*), Vertebrate, Category C. Habitat characteristics would be retained as on small diameter trees would be thinned.
- Crater Lake tight coil (*Pristiloma artium crateris*), and evening fieldslug (*Deroceras hesperium*) Mollusk, Category B, included in analysis for sensitive species. Implementation of the proposed project will not alter wetland habitat therefore would not impact the evening field slug or the Crater Lake tightcoil.

Additional National, State, and Local Laws and Direction

This project includes pile burning. These actions would cause more than incidental smoke. Pile burning would follow the guidance provided by the Oregon Smoke Management Plan and all other applicable federal, state, and local air quality regulations. There would be short-term impacts to communities and residences downwind and in drainages adjacent to pile burning. This project would be consistent with the Clean Air Act, of 1963 as amended and Smoke Management plan because the amount and direction of emissions from pile burning would be controlled to meet air quality standards.

This project is consistent with the Clean Water Act of 1972. The proposed projects are 50 feet either side of Forest Service roads and there would be no potential for sedimentation and/or runoff into the Little Deschutes River.

This project will not disproportionately affect any social groups or civil rights. The U.S. Department of Agriculture prohibits discrimination in its employment practices based on race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital and family status. This project will not have any disparate effects on any consumers, minority groups, women, civil rights, or social/ethnic groups. This project will be compliance with Executive Order 12898, Environmental Justice.



This project is consistent with the Endangered Species Act of 1973. This project will be compliant with Executive Order 13186, Conservation of Migratory Birds related to the Migratory Bird Treaty Act (MBTA) of 1918, as amended.

Implementation

When the Decision Memo is signed, project implementation can begin once final approval is received from the Crescent District Assistant Fire Management Officer (AFMO), Fuels. The following project design features will be included to meet project objectives and/or to reduce or minimize unwanted effects:

Cultural

- If, prior to, or during construction work, items of archeological or historical value are reported or discovered, or an unknown deposit of such items is disturbed, the contractor/operator would immediately cease activities in the area affected. The Forest Service would be notified, and ground disturbing activity would not resume until written authorization is provided.
- Should human remains be encountered, the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3001 et seq. [Nov. 16, 1990] and its regulations (43 CFR §10) would apply.
- For any ground disturbance work- if imported fill is utilized it must be from a culturally sterile source (meaning there is no possible contamination from fill originating from another buried archaeological site).
- Fuels specialists shall work with the District Archaeologist to identify and flag out areas with heritage concerns prior to project implementation. Monitoring may occur as determined by the Archaeologist.
- Thinning by hand is allowed within site buffers with methods described in the 2004 Programmatic Agreement under Appendix A, Item 15 which allows for *Non-mechanized post and pole harvesting or pre-commercial thinning, and firewood cutting. Non-mechanized refers to the absence of conventional logging equipment. These projects, such as post and pole, pre-commercial thinning, and firewood cutting, could involve the use of a pick-up truck and a chainsaw.*
 - Cut materials may be scattered or carried to trucks parked on the roadway to be hauled away. Material should not be dragged along the ground and no vehicles are allowed to leave the road within site buffers.
 - Material may be piled but no pile burning will be allowed within site buffers.
- All eligible and unevaluated resources will be provided with a 30-meter buffer and no mechanical operations will be allowed within the site buffer.
- Precontact isolates will be provided a 15 or 30-meter buffer. The exception will be the use of roads as roads for transporting machinery and personnel as needed, however, no road maintenance activities are authorized without additional consultation with the District Archaeologist and SHPO as appropriate.

Botany

- Equipment Cleaning - Actions conducted or authorized by written permit (contracts) require cleaning of all heavy equipment (i.e., bulldozers, skidders, and other construction equipment) prior to entering Forest Service lands. Equipment will be inspected on-site by the Forest Service project manager or the District botanist prior to start of work.

Wildlife

To mitigate disturbance to the northern spotted owl, the following seasonal restrictions will apply: No project activities within ¼ miles of NRF or a northern spotted owl core area will be conducted during periods of seasonal restriction. A waiver may be obtained but is subject to nest activity and review of the District wildlife biologist.

- Treatments around active raptor or owl nesting sites will be adjusted based on the recommendation of district wildlife biologists and Table 1.
- To mitigate disturbance to northern spotted owl, no disturbing activities adjacent to or within 0.25 miles of nesting roosting and foraging (NRF) habitat or known nest would occur March 1 through September 30, unless disturbance surveys are completed according to the *2012 Revised Protocol for Surveying Proposed Management Activities that may impact Northern Spotted Owls* (USFWS rev. 2012 at 9.0 pg17). This mitigation measure would apply to treatment units within or adjacent to NRF, home ranges, and core areas.
 1. Waivers may be granted if and as surveys are completed.
 2. If a new nest is found restrictions would apply.
 3. Disturbance causing activities includes use of large equipment, chainsaws, etc. (Deschutes National Forest Land and Resource Management Plan (LRMP) M4, WL-1).
- Within northern spotted owl home ranges, only minor creep when burning thinning piles (no more than 10 ft.).
- To mitigate disturbance to the northern bald eagle, goshawk, Cooper's hawk, sharp-shinned hawk, great gray owl, gray wolf, and big game fawning/calving seasonal restrictions will apply: No disturbing activities will be conducted during periods of seasonal restriction. Refer to Table 1 for the restriction period and units that the mitigation measure applies. These conditions may be waived in a particular year if nesting or reproductive success surveys reveal the species in question is non-nesting or no young are present. If a nest of any of these species is discovered during implementation the appropriate restriction would apply). For great gray owl (LRMP WL-34), goshawk (LRMP WL-12), red-tailed hawks, and eagles (LRMP WL-5) the date is May 15th. For Cooper's hawk (LRMP WL-20) and sharp-shinned hawk (LRMP WL-20) nest site will be considered inactive if not occupied by June 15th.

Table 1. Unit¹ Mitigation Restrictions

Species	Seasonal Restriction ²	Entire or Part Treatment Units ¹
Northern spotted owl	March 1 -September 30	2, 6, 7, 9, 10, 11
Bald eagle	January 1-August 31	Not at this Time
Goshawk	March 1-August 31	6
Red-tailed hawk	March 1-August 31	Not at this Time
Great gray owl ³	March 1-August 31	1, 2, 3, 4, 5, 6, 7, 9, 10 (not all units have been ground verified as nesting habitat)
Gray wolf	April 1- July 15	Not at this Time
Cooper's hawk	April 1-August 31	Not at this Time
Sharp-shinned hawk	April 15- August 31	Not at this Time
Fawning/Calving	May 1-June 30	1, 2, 3, 4, 5, 6, 7, 8, 9, 10 (not all units have been ground verified as fawning/calving habitat)

¹Unit identified in Table 2 is based off of the "ORIG_FID" attribute in the

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²Seasonal Restrictions are from the Deschutes LRMP, NWFP Survey and Manage, *Aquatic and Terrestrial Programmatic Biological Assessment for Lands within the Deschutes and John Day River Basins Administered by the Deschutes and Ochoco National Forests*, and *2020-2030 Programmatic Informal Consultation for the Deschutes and Ochoco National Forests and Crooked River National Grassland for Federal Land Management Activities with Conservation Measures Affecting the Gray Wolf (Canis lupus)*.

³As the project is within the Northwest Forest Plan (NWFP), Survey and Manage Protection Buffers apply to mitigate disturbance. Great gray owls will have a seasonal restrictions on all habitat unless that habitat has been surveyed. (NWFP Standards and Guides C-21).

- No spring pile burning would occur to protect bat species during nesting/roosting season (LRMP WL-75). Applies to units with rock outcrops or lava pressure ridges. To be applied to portions of units with these habitat features.
- All snags within the project area will be left to promote wildlife habitat unless they pose a safety concern to operations. If deemed to be felled, the felled snag would be left on site intact as possible.
- Down and dead material over 12 inches DBH will be left to promote wildlife habitat.
- Piling of cut materials will not include gray wood.
- Snags ≥ 20 inches dbh and down wood ≥ 16 inches diameter at the large end that are in an advanced stage of decay or that have ants present would be protected, e.g. protected from burning, as forage for pileated woodpeckers.
- In order to meet dead wood needs in treatment units the following standards in Table 2 need to be maintained.

Table 2. Dead Wood Standards (from Marsh EA and Implementation Guide)

Species	Tons per Acre	Diameter Small end	Approximate Whole Tree Equivalent	Percent Cover
Lodgepole Pine	7-42	8 inches	25-150 whole trees 10 inches in diameter or 17-100 whole trees 12 inches diameter or an equivalent in larger or mixed diameters. If no trees of nine inches dbh are present, leave 45 whole trees per acre of the largest available.	2.6-15.9
Stands Dominated by Ponderosa Pine	12-20	9 inches	50-100 whole trees 10 inches in diameter or 16-27 whole trees 16 inches diameter or equivalent in larger or mixed diameters	2.8-5.2
Ponderosa Pine Stands Where Lodgepole Pine Comprises Most Down Wood	Not specified in this plant association	9 inches	8-10 whole trees of the largest LP on site plus retain all other species	0.1-0.3 in lodgepole
Mixed Conifer	11-42	9 inches	50-200 whole trees 10 inches in diameter or 16-60 whole trees per acre 16 inches diameter or equivalent in larger or mixed diameters	2.6-10
NWFP and East of the NWFP				
Species	Tons per Acre ²		Treatment Units ¹	
LP	7 to 42		0, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15	
PP and PP dominated stands	12 to 20		9	
Mixed Conifer	11 to 42		9, 10, 11	
¹ Unit identified in Table 2 is based off of the “ORIG_FID” attribute in the T:\FS\NFS\Deschutes\Project\soopsDataMgmt2009\Fuels\GIS\CRE\Workspace\kenna\IDT\Roadside_CE_Feb8_2021_Final.shp				
² Criteria to exceed standard, align with current research and large vegetation projects Northwest Forest Plan (NWFP) Standard C-40: For all Vegetative Series: 16 in. min. diameter, 16 ft. min. piece for a total 120 ft. lineal ft. Where diameter minimums are not available largest material is to be left.				
Appendix B Revised Interim (Direction Eastside Screens), 1995 (pg10) as follows:				
Vegetative Series	Down Wood Pieces per Acres (Diameter Small End**)		Piece Length and Total Lineal length	
Ponderosa Pine (PP)	15 to 20 (12")		> 6 ft. 100-140 ft.	
Mixed Conifer (MC)	15 to 20 (12")		> 8 ft. 120- 180 ft.	
Lodgepole Pine (LP)	3 to 6 (8")		> 6 ft. 20-40 ft.	
**Where minimum diameters cannot be met, the largest available would be left.				

- No slash burning or slash pile placement is allowed within 50 feet of any stream to protect riparian habitat.
- Mechanized equipment will remain outside the non-forested, sedge, and willow dominated riparian area unless authorized to put wood in the adjacent stream.

Soils/Hydrology/Riparian

- All refueling and storage of equipment will occur more than 25 feet from water.
- Equipment operators/operations will have a spill kit on site of sufficient size to clean up and prevent further contamination.
- Forest Service will be informed of any observed petroleum spills.
- No mowing, mastication, or hand/ machine piling within riparian vegetation
- Hand/ machine pile 15 feet outside of riparian vegetation
- Only hand equipment (chainsaws, axes, pulaskis, etc.) may be used for felling in identified riparian areas.
- Harvesting and machine piling treatments to reduce fuel loadings shall be implemented to minimize soil disturbance as follows:
 - Limit off-trail machine travel to no more than two passes on any piece of ground.
 - Where feasible, minimize pivots and turns to limit soil displacement.
 - Operators shall plan travel paths to make full use of the machine's capability (e.g., using full boom reach of machine) to limit ground disturbance and minimize number of off-trail passes needed to achieve treatment objectives.
 - Where feasible, pile fuels (both hand and machine piles) on logging facilities or existing disturbances (i.e. skid trails, landings, non-system roads) in order to minimize additional detrimental soil impacts from burning.
- Mastication or other mechanized understory treatments to reduce brush and fuel loadings shall be implemented to minimize soil disturbance as follows:
 - When using a boom-mounted implement, operator shall plan off-trail travel paths to make full use of the machine's capability (e.g., using the full boom reach of the machine) to limit ground disturbance and minimize the number of passes needed to achieve treatment objectives.
 - When using a machine with a front-mounted fixed masticating head, work in long, linear swaths to the extent practicable to avoid unnecessary pivoting and turning, which results in soil displacement damage.
 - Operator should not allow masticating heads or other implements to contact the soil surface, which can result in detrimental churning and mixing of the soil.
 - Machines shall make no more than two passes over any piece of ground (when not on existing disturbances).
 - Detrimental soil impacts resulting from fuels treatments shall be isolated and infrequent (less than 5% of the unit area). Detrimental impacts include total removal of surface organics and topsoil, churning/mixing of topsoil with subsoil, rutting greater than six inches deep, and heavy compaction.
- Thinning, mastication, mowing, or machine piling treatments will not occur on slopes greater than 30% unless an explicit plan for soil protection and rehabilitation is established prior to treatment (slopes greater than 30% potentially present in units 13 and 14).
- On slopes greater than 15%, avoid sidehill machine travel to the extent possible. Orient machine travel paths parallel to the fall line where feasible. Repair areas where a substantial amount (100 square feet or greater) of surface soils are displaced. Pull in berms and smooth over displaced areas.
- Cease operations during periods of high soil moisture or if frozen ground or snow begins to thaw and damage to soil occurs. Some "watch-out" situations include: machine break-through begins to occur; equipment tracks sink deeply (half the width of the track) below the soil surface with

- one or two passes; ruts greater than six inches deep form; mid-day temperatures are forecast to rise above freezing; surface melt occurs over still-frozen subsurface.
- Operations should not occur during extremely dry conditions when excessive, irreversible soil damage (permanent changes in structure or texture, excessive displacement, and/or significant wind erosion/dust losses) begins to occur. Too-dry conditions where excessive soil damage may be occurring are indicated by one or more of the following:
 - Pulverization of pumice particles and “fining” of soil texture, signaled by a finer-feeling surface soil. For instance, a coarse sandy loam texture begins to feel more like a fine sandy loam or silty texture. A “gritty” soil may begin to feel more “floury”.
 - Deep, powdery, unconsolidated soil within machine travel corridors.
 - Significant amounts of airborne dust being generated from machine operations within the unit.
 - Soil that exhibits no cohesion when squeezed in the palm of the hand.
 - Use existing disturbances for staging areas. If new staging areas are needed for project implementation, they should be rehabbed at the completion of project activities (loosening/scarifying compacted soils, re-establishing surface cover through coarse woody debris distribution, mulching, seeding, or other approved methods).

Fire/Fuels

- Burning/pile burning would follow the guidance provided by the Oregon Smoke Management Plan and all other applicable federal, state, and local air quality regulations.

Best Available Science and Conclusion


My conclusion includes a review of the record of relevant scientific information, a consideration of responsible opposing views, and the acknowledgment of incomplete or unavailable information, scientific uncertainty, and risk.

Administrative and Appeal Rights


The final decision is not subject to appeal or objection. On January 17, 2014, the President signed into law the Consolidated Appropriations Act of 2014 (Pub. L. No. 113-76). Section 431 of that Act directs that the 1992 and 2012 legislation establishing the 36 CFR 215 (post-decisional appeals) and 36 CFR 218 (pre-decisional objections) processes “shall not apply to any project or activity implementing a land and resource management plan ... that is categorically excludedunder the National Environmental Policy Act [NEPA].” As a result, the Forest Service no longer offers notice, comment, and appeal opportunities pursuant to 36 CFR 215 for categorically excluded projects such as the one covered under this Decision Memo.

Contact Information

For additional information concerning this project, contact Kathy Enna, AFMO - Fuels, at Crescent Ranger District, 136471 Hwy 97 N/ P.O. Box 208, Crescent OR 97733, or by phone at (541) 433-3200.



RYAN SULLIVAN
Acting District Ranger
Crescent Ranger District



DATE

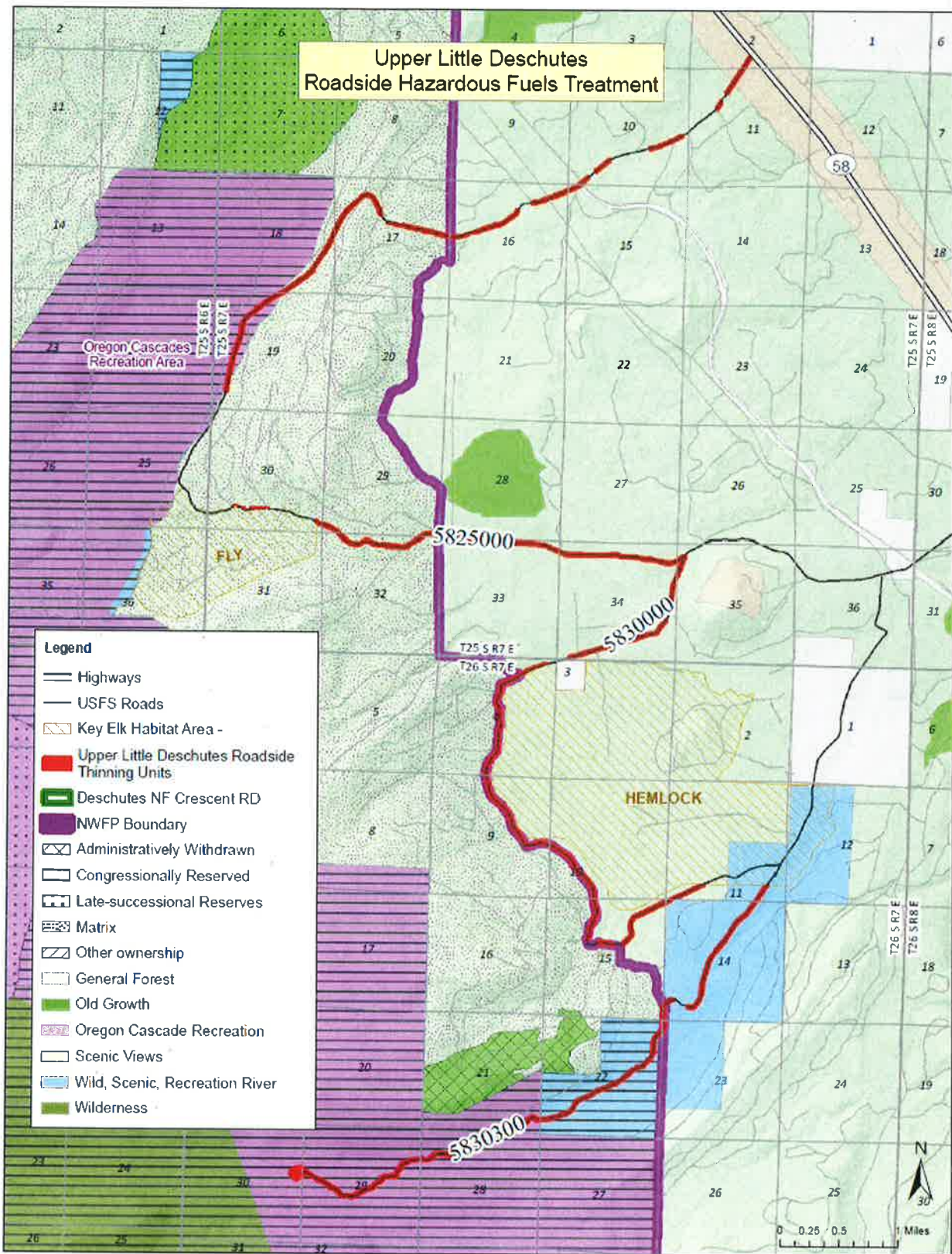


Figure 1. 2020 Upper Little Deschutes Roadside Hazardous Fuels Treatments